

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(Northern Division)

IN THE MATTER OF THE COMPLAINT \*  
OF ETERNITY SHIPPING, LTD and  
EUROCARRIERS, S.A., \*

*in a cause for exoneration from \*  
or limitation of liability*

Civil Action No. L-01-250

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**CLAIMANT-JOSEFINA GONZALES' MOTION TO  
STRIKE PETITIONERS' PRAECIPE  
and, in the alternative,  
CLAIMANT'S MOTION FOR DETERMINATION OF FOREIGN LAW**

TO THE HONORABLE JUDGE OF THE DISTRICT COURT:

COMES NOW Josefina Gonzales ("Claimant") and moves the Court to strike Petitioners' Praecipe and/or determine that none other than the laws of the United States apply to the claims arising out of the death of Juan Gonzales, Jr.. In support hereof, Claimant has contemporaneously filed her "Memorandum" and herewith attaches her proposed Order.

WHEREFORE, PREMISES CONSIDERED, Claimant respectfully requests that this Court dismiss the "Praecipe" filed by Petitioners herein and, thereafter, find that the personal injury and death claims resulting from the death of Juan Gonzales, Jr. are properly brought within the Courts and adjudicated under the laws of these United States of America, rather than the laws of Greece, the Philippines, Malta or any other nation.

Respectfully submitted,

/s/  
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**CERTIFICATE OF SERVICE**

I, R. Blake Brunkenhoefer, do hereby certify that a true and correct copy of the above and foregoing document was served via e-mail notification from the District Court and in the manner indicated, upon:

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in accordance with all applicable provisions of the Federal Rules of Civil Procedure, on this the 26<sup>th</sup> day of November, 2003.

/s/  
R. Blake Brunkenhoefer

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**ORDER OF THE COURT**

On this \_\_\_\_ day of \_\_\_\_\_, 200\_\_, came on for consideration Claimant-Josefina Gonzales' Motion to Strike Petitioners' Praeclipe and, in the alternative, Claimant's Motion for Determination of Foreign Law. Having considered the pleadings on file, the arguments of counsel for all concerned, and relevant legal authority, the Court finds that Claimant's Motion is well-made and should be, and hereby is, in all respects GRANTED.

IT IS THEREFORE ORDERED that the Petitioners' Praeclipe is stricken and, as concerns all of Claimant-Josefina Gonzales' claims arising out of the death of her son, the law of the United States shall be the exclusive jurisprudence for the determination of this Claimant's rights.

SIGNED & ENTERED this the \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

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UNITED STATES DISTRICT COURT